



CITY COUNCIL

AGENDA REQUEST

AGENDA OF:	2/20/2007	AGENDA REQUEST NO:	VI A
INITIATED BY:	LISA KOCICH-MEYER SENIOR PLANNER <i>lem</i>	RESPONSIBLE DEPARTMENT:	PLANNING
PRESENTED BY:	LISA KOCICH-MEYER SENIOR PLANNER	DEPARTMENT HEAD:	SABINE SOMERS-KUENZEL, AICP <i>AK</i> DIRECTOR OF PLANNING
		ADDITIONAL DEPARTMENT. HEAD (S):	N/A

SUBJECT / PROCEEDING:	PERMANENT R1Z ZONING FOR TELFAIR SECTION EIGHT PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1603
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EXHIBITS:	VICINITY MAP, TELFAIR GENERAL PLAN, ORDINANCE NO. 1603, APPLICATION AND CORRESPONDENCE, PUBLIC HEARING NOTICE
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CLEARANCES	APPROVAL
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LEGAL:	MEREDITH WILGANOWSKI, <i>MW</i> ASSISTANT CITY ATTORNEY	EXECUTIVE DIRECTOR:	JIM CALLAWAY <i>Jim Callaway</i> COMMUNITY DEVELOPMENT
PURCHASING:	N/A	ASST. CITY MANAGER:	N/A
BUDGET:	N/A	CITY MANAGER:	ALLEN BOGARD <i>Allen Bogard</i>

BUDGET

EXPENDITURE REQUIRED: \$	N/A
AMOUNT BUDGETED/REALLOCATION: \$	N/A
ADDITIONAL APPROPRIATION: \$	N/A

RECOMMENDED ACTION

The Planning and Zoning Commission unanimously recommended approval of permanent R-1Z zoning for Telfair Section Eight.

EXECUTIVE SUMMARY

This is a request to permanently zone the Telfair Section Eight area, consisting of 7.775 acres, from interim Standard Single-Family Residential (R-1) to permanent Zero Lot Line Single-Family Residential (R-1Z). The property is located on the north side of Telfair Avenue and west of University Boulevard. The Telfair property was annexed by the City under Ordinance No. 1431 on April 6, 2004 and was officially incorporated into the City on July 1, 2004. At that time, interim R-1 zoning was applied to the 7.775 acres. Approval of this permanent zoning will place the property under the requirements of the standard City of Sugar Land R-1Z district and all regulations contained therein. This request is in conformance with the City of Sugar Land Future Land Use Plan and the Telfair General Plan (Amendment No. 3), which was approved December 19, 2006.

The Telfair General Plan (Amendment No. 3) indicates that Section Eight has the option for either Standard Single-Family Residential (R-1) or Zero Lot Line Single-Family Residential (R-1Z) zoning. This rezoning request, if approved by City Council, would require this property to comply with all R-1Z regulations as contained in the City of Sugar Land Development Code. The total number of permanently zoned R-1Z acreage to date with the inclusion of Telfair Section Eight will be approximately 154 acres, with the option of approximately 150 additional acres for R-1Z in the future.

The Planning and Zoning Commission held a Public Hearing on this item at the January 9, 2007 meeting and took action on the request at the January 25, 2007 meeting. No one spoke at the hearing, and the Commission unanimously recommended approval of the permanent R-1Z zoning to Council. This item requires a Public Hearing at Council prior to any action.

File No. 7205

CC: Keith Behrens, Newland Communities kbehrens@newlandcommunities.com

EXHIBITS

DETAILED INFORMATION

GENERAL SITE INFORMATION AND ANALYSIS:

COMPREHENSIVE PLAN COMPLIANCE	Adopted COSL Future Land Use Plan indicates single-family residential land use for the area in question. This proposal is in compliance with the Comprehensive Plan.
COMPLIANCE WITH GENERAL PLAN	Telfair General Plan Amendment No. 3 indicates the option of either R-1 or R-1Z zoning for this area
SUBJECT PROPERTY	Interim Standard Single Family Residential (R-1)
SURROUNDING PROPERTY	North: Standard Single-Family Residential (R-1) South: Interim Standard Single-Family Residential (R-1) East: Interim Standard Single-Family Residential (R-1) West: Standard Single-Family Residential (R-1)

SURROUNDING USES	North: Single-Family residential currently under development (Telfair Section 7) South: Undeveloped East: Undeveloped West: Single-Family residential currently under development (Telfair Sections 4 & 7)

On November 16, 2004, City Council adopted the revised Land Use Plan portion of the City's Comprehensive Plan under Ordinance No. 1468. The Land Use Plan serves as a guide for recommendations of permanent zoning for annexed properties and rezoning of existing properties within the City. The 7.775 acres of Telfair Section 8 were intended for single-family residential development when the developer petitioned the City for annexation. This proposed land use is in accordance with the City's Land Use Plan, and the Telfair General Plan Amendment No. 3 (approved December 19, 2006).

If approved, the total amount of R-1Z zoning in place in Telfair will be approximately 154 acres located in Telfair Sections 3, 8, and 28. There is approximately 150 acres remaining within the Telfair community that has the option of future R-1Z zoning. R-1 acreage at the date of this report is approximately 290 acres and includes Telfair Sections 1, 2, 4, 5, 6, 7, 11, and 12. Section 16 was unanimously approved for permanent R-1 zoning at Council on February 6, 2007.

PUBLIC HEARING:

Notice of the Public Hearing was published in a newspaper of general circulation as required by state law. All property owners and potentially affected interests within 200 feet of the proposed site, consisting only of Newland Communities, LJA Engineers, TMI Inc., Perry Homes, and Fort Bend County LID #17 in this case, were notified. Notice of the Public Hearing was posted on the City of Sugar Land's Internet home page. At the time of writing this report there has been one informational inquiry and no opposition.

Cc: Jason Kelly, P.E., LJA Engineering & Surveying, Inc.

Fax: (713) 953-5026

jkelly@LJAengineering.com

Keith Behrens, P.E., Newland Communities

Fax: (713) 575-9001

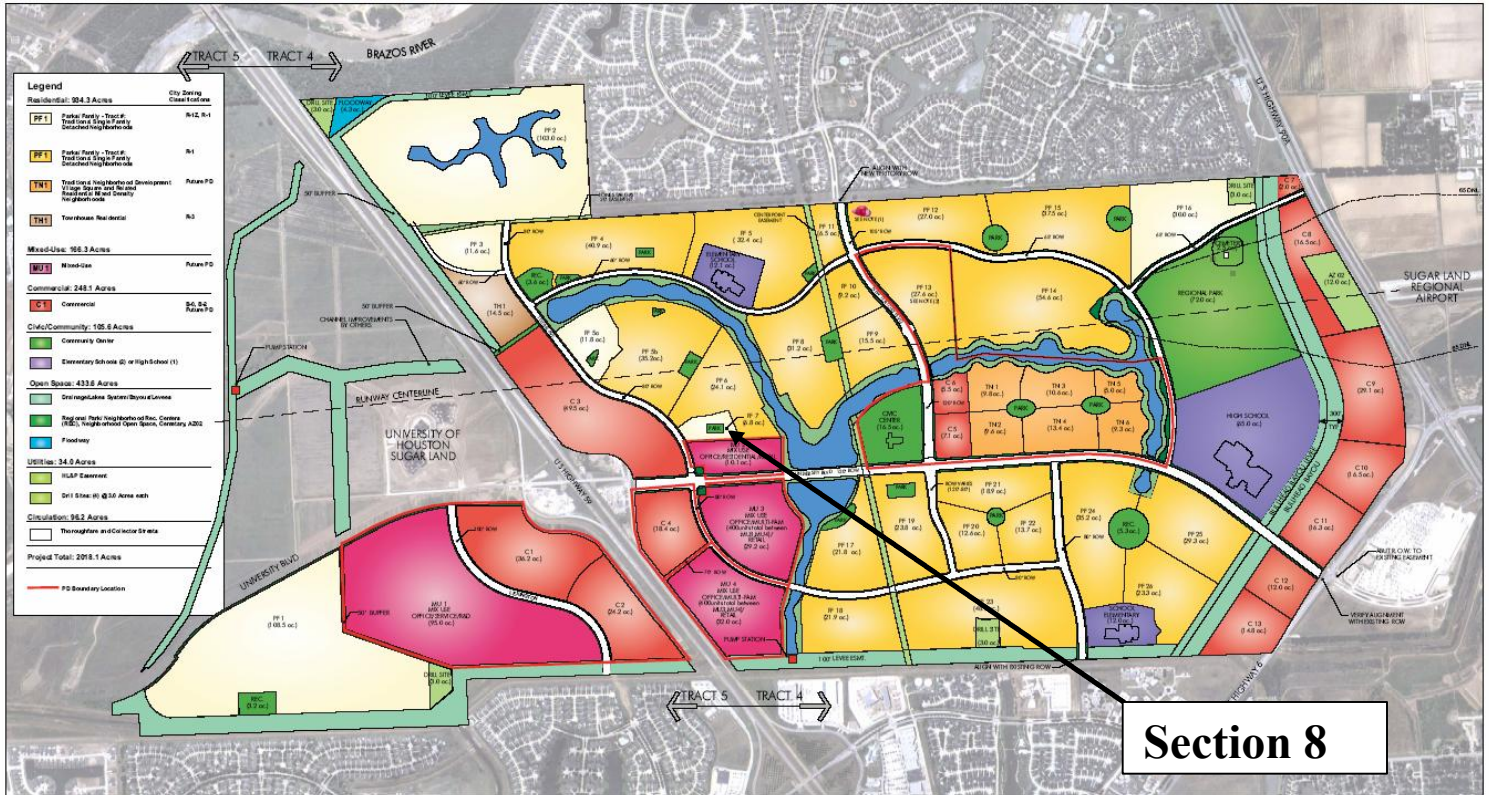
kbehrens@newlandcommunities.com

File No. P0007205

Vicinity Map:



Telfair Approved General Plan: Approved 2006



Section 8

GENERAL NOTES

- (1) The Fire Station Site may be relocated to an agreed location between Newland Communities and the City of Sugar Land without future General Plan revisions.
- (2) PF 13 - will be permanently zoned R-1 or a future Mixed-Use Residential PD.
- (3) Development will comply with subdivision regulations relating to second points of access.

VICINITY MAP



TELFAIR

LAND USE PLAN -AMENDMENT 3
OWNER: NEWLAND COMMUNITIES
10235 W. LITTLE YORK, SUITE 200
HOUSTON, TEXAS 77040

DESIGN FIRM: TBG PARTNERS
LAND PLANNERS / LANDSCAPE ARCHITECTS
901 S MOPAC EXPRESSWAY

AUSTIN, TX 78746

This information is based on the best information available.



Original Date: July 30, 2003
Revised Date: Nov. 09, 2006

This illustration shown is based on the best information available.

ORDINANCE NO. 1603

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, PERMANENTLY ZONING THE 7.775 ACRES OF LAND LOCATED NORTH OF TELFAIR AVENUE AND WEST OF UNIVERSITY BOULEVARD AS ZONING DISTRICT R-1Z, ZERO LOT LINE SINGLE FAMILY RESIDENTIAL DISTRICT.

WHEREAS, NNP-Telfair, L.P. has requested that the 7.775 acres of land located north of Telfair Avenue and West of University Boulevard be permanently zoned as District R-1Z, Zero Lot Line Single Family Residential District, as described in Exhibit A; and

WHEREAS, the City Council has held a public hearing on the proposed permanent zoning for which notice was given as required by law; NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF SUGAR LAND, TEXAS:**

Section 1. That the 7.775 acres of land, described in Exhibit A, attached to and incorporated into this ordinance by reference, is permanently zoned as District R-1Z, Zero Lot Line Single Family Residential District.

Section 2. The City's official zoning map is amended to show the permanent zoning district classification.

READ IN FULL on first consideration on _____, 2007.

APPROVED upon second consideration on _____, 2007.

David G. Wallace, Mayor

ATTEST:

Glenda Gundermann, City Secretary

Reviewed for Legal Compliance:

Meredith Wilganski

Attachment: Exhibit A – Metes and Bounds Description

telfair&zoningord
1/11/07

Metes and Bounds: Exhibit A

RECEIVED

NOV 27 2006

November 21, 2006
Job No. 1800-2108
PLANNING

DESCRIPTION OF
7.775 ACRES
TELFAIR SECTION 8

Being 7.775 acres of land located in the Alexander Hodge League, Abstract 32, Fort Bend County, Texas, more particularly being a portion of the residue of a called 1651.239 acre tract conveyed to NNP-Keepsake, L.P., by instrument of record in File No. 2003149525, Official Public Records, of said Fort Bend County (F.B.C.O.P.R.), said NNP-Keepsake, L.P. now known as NNP-Telfair LP, by instrument of record in File No. 2006007940, F.B.C.O.P.R., said 7.775 acres being more particularly described by metes and bounds as follows (all bearings referenced to the Texas State Plane Coordinate System, South Central Zone, NAD 83, 1993 adjustment);

BEGINNING at the most easterly southeast corner of Telfair Section 7, a subdivision of record in Plat No. 20060128, Plat Records, of said Fort Bend County (F.B.C.P.R.), same being on the northerly right-of-way line of Telfair Avenue (width varied) as shown on Telfair Avenue Street Dedication, a subdivision of record in Plat No. 20060064, F.B.C.P.R.;

Thence, with the easterly line of said Telfair Section 7, the following nine (9) courses:

- 1) North 38° 00' 54" West, 72.69 feet to a point for corner;
- 2) North 53° 21' 30" West, 248.02 feet to a point for corner;
- 3) North 22° 09' 03" East, 129.38 feet to a point for corner;
- 4) North 20° 02' 41" East, 67.57 feet to a point for corner;
- 5) North 07° 03' 28" East, 174.01 feet to a point for corner;
- 6) North 02° 48' 42" West, 55.49 feet to a point for corner;

Metes and Bounds:

7.775 acres

November 21, 2006
Job No. 1800-2108

- 7) North $05^{\circ} 55' 56''$ West, 111.15 feet to a point for corner;
- 8) North $69^{\circ} 22' 16''$ East, 358.41 feet to a point for corner;
- 9) North $83^{\circ} 15' 39''$ East, 100.37 feet to a point for corner, the most southerly northeast corner of said Telfair Section 7;

Thence, leaving said easterly line, South $07^{\circ} 44' 21''$ East, 7.88 feet to a point for corner;

Thence, South $03^{\circ} 59' 07''$ East, 678.08 feet to a point for corner on the Northerly right-of-way line of the aforementioned Telfair Avenue, the beginning of a curve;

Thence, 21.52 feet along the arc of a non-tangent curve to the left, having a radius of 1213.01 feet, a central angle of $01^{\circ} 00' 59''$ and a chord which bears South $68^{\circ} 15' 34''$ West, 21.52 feet to a point for corner, the beginning of a curve;

Thence, 346.30 feet along the arc of a non-tangent curve to the left, having a radius of 1253.00 feet, a central angle of $15^{\circ} 50' 07''$ and a chord which bears South $59^{\circ} 54' 09''$ West, 345.20 feet to the POINT OF BEGINNING and containing 7.775 acres of land.

LJA Engineering & Surveying, Inc.

Application:



RECEIVED

NOV 27 2006

**CURRENT PLANNING DIVISION
CONDITIONAL USE PERMIT OR REZONING APPLICATION**

PLANNING

Please type or print the following information & Return your submittal to the Development Services Department (Current Planning Division), 2700 Town Center Blvd. North, Sugar Land, TX 77479, Attention: Gretchen Pyle

Applicant

Contact LJA Engineering & Surveying, Inc. Attention: Jason M. Kelly, P.E.
Address 2929 Briarpark Drive, Suite 600, Houston, TX 77042
Phone (713) 953-5064 Fax (713) 953-5026
Email jkelly@ljaengineering.com

Owner

Contact NNP-Telfair, LP Attention: Keith Behrens, P.E.
Address 10235 West Little York, Suite 300, Houston, TX 77040
Phone (713) 575-9000 Fax (713) 575-9001
Email kbehrens@newlandcommunities.com

Property Legal Description _____ See Attached X

Lot _____ Block _____ Subdivision Telfair Section 8

Current Zoning District Temporary R-1 Proposed Zoning District, if applicable R-1Z

If this is a CUP application: ☐ new building ☐ existing building

Proposed Use (CUP only) Single-Family Residential

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the undersigned is authorized to make this application. This application expires six months from the date stamped as received by the Planning Department if no action has been taken by the Planning and Zoning Commission on this request.

X

Signature of Applicant

Date

Submittal Requirements (Submittal Deadline is Monday at 3:00 p.m.):

- ☒ Three (3) copies of the completed application
- ☒ Check for \$1,000.00 (non-refundable) \$400 if CUP is in MUC District
- ☒ Metes and bounds of the site and county slide number of plat, if recorded
- ☒ Two (2) 24" x 36" blue-line copies and two (2) 11" x 17" copies of the CUP layout plan or the property to be rezoned, including a vicinity map and north arrow on each copy
- ☒ Two (2) copies of a letter stating the applicant's request and addressing issues relating to a CUP including traffic circulation, parking, plan of operation, and other pertinent information
- ☒ Names and mailing addresses of all property owners and tenants within 200 feet of site, including owner and applicant

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

Correspondence:

LJA Engineering & Surveying, Inc.



2929 Briarpark Drive
Suite 600
Houston, Texas 77042-3703
Phone 713.953.5200
Fax 713.953.5026
www.ljaengineering.com

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NOV 27 2006

PLANNING

November 20, 2006

Ms. Gretchen Pyle
Development Review Coordinator
City of Sugar Land
2700 Town Center Blvd. North, Ste. 259
Sugar Land, TX 77479

Re: Rezoning Application
Telfair Section 8
Fort Bend County MUD No. 138
City of Sugar Land
Fort Bend County, Texas
LJA Job No. 1800-2108A (6.1)

Dear Ms. Pyle:

This letter is to request rezoning of Telfair Section 8 within the Telfair Development from Temporary R-1 to R-1Z.

NNP – Keepsake, L.P. is the current owner of all the property within the requested Rezone area and within 200-feet around the requested Rezone.

Owner
Newland Communities Texas, LP
10235 West Little York, Suite 300
Houston, Texas 77040
Phone 713.575.9000

Applicant
LJA Engineering & Surveying, Inc.
2929 Briarpark Drive, Suite 600
Houston, Texas 77042
Phone 713.953.5200

Should you have any questions, please contact me at 713.953.5064.

Sincerely,



Jason M. Kelly, P.E.
Project Manager

JMK/rca

Copy: Mr. Keith Behrens, P.E., Newland Communities Texas, L.P.

D:\LAND\1800\2108A\ProjectMem\112006.doc



NOTICE OF PUBLIC HEARING

PROPOSED PERMANENT ZONING OF APPROXIMATELY 7.775 ACRES OF LAND FROM INTERIM R-1 ZONING DISTRICT TO ZERO LOT LINE SINGLE-FAMILY RESIDENTIAL (R-1Z) DISTRICT BEING 7.775 ACRES OF LAND LOCATED NORTH OF TELFAIR AVENUE AND WEST OF UNIVERSITY BOULEVARD IN THE ALEXANDER HODGE LEAGUE, ABSTRACT 32, FORT BEND COUNTY, TEXAS, MORE PARTICULARLY BEING A PORTION OF CALLED 1651.239 ACRE TRACT CONVEYED TO NNP-KEEPSAKE, L.P., BY INSTRUMENT OF RECORD IN FILE NO. 2003149525, OFFICIAL PUBLIC RECORDS, OF FORT BEND COUNTY (F.B.C.O.P.R.), NOW KNOWN AS NNP-TELFAR LP, BY INSTRUMENT OF RECORD IN FILE NO. 2006007940, AND AS SHOWN ON THE ATTACHED MAP.

PURPOSE: One (1) public hearing shall be held at which all persons interested in the proposed Permanent Zoning shall be given an opportunity to be heard.

WHERE: CITY OF SUGAR LAND CITY COUNCIL CHAMBER
CITY HALL
2700 TOWN CENTER BOULEVARD NORTH
SUGAR LAND, TEXAS

WHEN: CITY OF SUGAR LAND
CITY COUNCIL MEETING
6:00 P.M., FEBRUARY 20, 2007

DETAILS OF THE PROPOSED PERMANENT ZONING REQUEST MAY BE OBTAINED FROM THE PLANNING OFFICE, CITY HALL, CITY OF SUGAR LAND, 2700 TOWN CENTER BOULEVARD NORTH, SUGAR LAND, TEXAS, MONDAY THROUGH FRIDAY FROM 8:00 O'CLOCK A.M. TO 5:00 O'CLOCK P.M. OR YOU MAY CALL (281) 275-2218 FOR ADDITIONAL INFORMATION.